

Standard 7-2 The student will demonstrate an understanding of the concept of absolute monarchies and constitutional government in the seventeenth and eighteenth centuries.

7-2.3 Outline the role and purposes of a constitution, including such functions as defining a relationship between a people and their government, describing the organization of government and the characteristics of shared powers, and protecting individual rights and promoting the common good. (P, H)

Taxonomy Level: A 2 Understand/Factual Knowledge

Previous/future knowledge:

In fourth grade, students compared the ideas in the Articles of Confederation with those in the United States Constitution, including how powers are now shared between state and national government and how individuals and states are represented in the national congress (4-4.1). Students also classified the three branches of government established by the United States Constitution and gave examples of the checks and balances that the Constitution provides among the branches (4-4.2). Students explained the role of the Bill of Rights, including how the Constitution serves to guarantee the rights of the individual and protect the common good (4-4.3).

In sixth grade, students explained the development of English government and legal practices, including the principles of the Magna Carta and its contribution to the development of representative government in England (6-3.2).

In Global Studies, students will explain the influence of Athenian government and philosophy on other civilizations, including the importance of Plato's Republic and the concepts of participatory government, citizenship, freedom, and justice (GS-1.1).

In US History, students will analyze underlying political philosophies, the fundamental principles, and the purposes of the United States Constitution and the Bill of Rights, including ideas behind the separation of powers and the system of checks and balances and the influence of the Magna Carta, the English Bill of Rights, and the colonial charters (USHC-2.5).

In US Government, students will analyze alternative forms of representation and the extent to which they serve the purposes of constitutional government (USG-1.6).

It is essential for students to know that constitutions can be a single written document (U.S.) or a collection of traditions, precedents, legal rulings and documents that together comprise what is known as an unwritten constitution (U.K.). A constitution is the "law" which establishes the structure and operation of government and details the relationship of the people to their government. Constitutions are critical because they provide the government legitimacy in ruling. While they can, and do, address many issues, constitutions generally have provisions pertaining to several key components: they provide the framework for the operation of the legislative, executive, and judicial

branches; establish the relationship between the national government and the regional/provincial governments; they define the relationship of government to the citizens and the rights of citizens. Constitutions are often classified as either “positive” or “negative”. A “positive” constitution centers on the roles and responsibilities that a government is to perform, for example, provide universal education for all citizens. A “negative” constitution focuses on the limitations placed upon the government. (The U.S. has a “negative” constitution). As previously stated, a constitution can be written or unwritten – both are legitimate frameworks of government. Not all constitutions are legitimate however. It is possible for a government to have a written constitution, but to not follow the principles or guidelines set forth in it (The former Soviet Union is an example of this). The United States had the first written constitution and helped set the foundation for what national constitutions generally address followed by the French soon after (see 7-3.2). Many of the ideas and principles of the U.S. Constitution were based upon the traditions and heritage of the unwritten English constitution. The tradition of a government being responsive to the will of the people first occurred when King John signed the Magna Carta (Great Charter), acknowledging that the king was no longer above the law. Students should also be familiar with commonalities between different governmental systems (offices, branches of government, roles of officials and types of government). Their understanding should also include types of governments and the means through which government officials acquire power.

It is not essential for students to know the sections or portion of any national constitution.

Assessment guidelines: It would be appropriate for assessments to have students **identify** and **describe** parts of a constitution (case study) as they pertain to governmental function. Suitable assessment could entail students **defending** which basic function of a constitution is most important. Students could **compare** “positive” and “negative” constitutions and defend which type of better. Assessments could call on students to **evaluate** government actions in various nations and determine if those nations have legitimate constitutional governments.